



May 4, 2015

VIA ECF

Hon. Peter G. Sheridan, U.S.D.J.
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

**RE: *BRRAM, Inc., et al. v. FAA, et al.*,
Civil Action No. 3:14-cv-02686-PGS-DEA**

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Dear Judge Sheridan:

We along with Hogan Lovells represent former defendant Frontier Airlines, Inc. (Frontier) in this matter. Argument on Plaintiffs' motion to amend the complaint is currently scheduled for May 6. As Plaintiffs have consented to the dismissal of Frontier from the initial complaint as well as from the proposed amended complaint, Frontier does not plan to appear at the May 6 hearing.

In conjunction with Defendants' motion to dismiss the original complaint and Plaintiffs' motion to amend the complaint, Plaintiffs' counsel consented to dismiss Frontier from the case. On March 31, 2015, the Court dismissed Frontier because of Plaintiffs' consent. *See* Doc. 52. On April 7, the Court scheduled the May 6 oral argument on Plaintiffs' motion for leave to file an amended complaint. While technically Frontier is named in the amended complaint, co-counsel conferred with Plaintiffs' counsel who confirmed that Plaintiffs consented to dismiss Frontier from the amended complaint as well. In the event leave is granted to file an amended complaint, we will submit an appropriate form of order dismissing Frontier from the case.

Plaintiffs have reserved the right to move to rejoin Frontier to the litigation if it is determined that Frontier is an indispensable party for effectuating relief and Frontier has reserved its rights to object to being named again in the litigation. However, it is presently undisputed that Frontier is dismissed from the case.

Accordingly, Frontier will not attend the May 6 oral argument unless the Court directs otherwise.

Respectfully,

s/ John E. Flaherty

John E. Flaherty

cc: Counsel of Record (via ECF)

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